

**At a Regular Meeting of the Town Council of the Town of Middletown,  
RI held at the Middletown Town Hall on Monday, June 16, 2014 at 6:00  
P.M.**

**Council President Christopher T. Semonelli, Presiding**

**Vice President Robert J. Sylvia**

**Councillor Richard P. Adams**

**Councillor Bruce J. Long, arrives at 6:42 pm**

**Councillor Paul M. Rodrigues**

**Councillor M. Theresa Santos**

**Councillor Barbara A. VonVillas, Members Present**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

## **RECONSIDERATION**

**The Middletown Town Council follows the codification of present-day general parliamentary law as articulated in Robert's Rules of Order Newly Revised 10th edition (2000), together with whatever rules of order the Council has adopted for its own governance. The motion to reconsider is one of the motions that can bring a question again before an assembly, and is designed to bring back for further consideration a motion which has already been voted on:**

**If, in the same session that a motion has been voted on, but no later than the same day or the next day on which a business meeting is held, new information or a changed situation makes it appear that a different result might reflect the true will of the assembly, a member who voted with the prevailing side can, by moving to Reconsider [RONR (10th ed.), p. 304-321] the vote, propose that the question shall come before the assembly again as if it had not previously been considered. (From Robert's Rules of Order Newly Revised In Brief, Robert, Evans et al., De Capo Press, 2004)**

**There were no reconsiderations.**

## **EXECUTIVE SESSION**

**1. Executive Session - Pursuant to provisions of RIGL, Sections 42-46-2, 42-46-4 and 42-46-5 (a) (2) Collective Bargaining (IBPO Local 534, NEARI Town Hall and Teamsters DPW Unions) and (2) potential litigation.**

**On motion of Vice President Sylvia, duly seconded, it was voted unanimously to recess open session and reconvene in executive session at 6:02 pm.**

**On motion of Vice President Sylvia, duly seconded, it was voted unanimously to recess executive session and reconvene in open session at 7:00 pm.**

**On motion of Vice President Sylvia, duly seconded, it was voted unanimously to seal the executive session minutes pursuant to Section 42-46-7. RIGL.**

## **PRESENTATION**

**2. (Continued from Regular Meetings, May 5, 2014, May 19, 2014, June 2, 2014)**

**Resolution of the Council, re: Commendation for Charles Paul LaMond.**

**On motion of Vice President Sylvia, duly seconded, it was voted unanimously to pass said resolution.**

**Councillor VonVillas read the following, prepared by Steve Arendt,**

**entered here:**

**Librarian Theresa Coish noted that Paul Lamond has been a role model and mentor for her.**

**Council President Semonelli read the above commendation to Jennifer Lamond, who accepted on behalf of Paul and his family.**

**Jennifer Lamond thanked the Town Council for the Commendation and noted that her dad feels it is a privilege to serve on the Town Boards.**

## **PUBLIC FORUM SESSION**

**3. Pursuant to Rule 23 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting. All items discussed during this session will not be voted upon.**

**Frederick Baillarger, 46 Harvey Road, expressed concern regarding vandalism at his home, along with not feeling his incident received proper attention from the Police Department.**

**Carol Cummings, 738 Indian Avenue, addressed the Council noting that she experienced a similar circumstance with the Police Department.**

## **CONSENT**

**4. Resolution of the Town of Barrington, re: Requesting support for funding FY2015 to sustain the Municipal Road and Bridge Revolving Fund.**

**On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said resolution.**

**5. Notice of Public Hearing from the Middletown Zoning Board of Review, re: Petition of Linda Phelan (owner), for a Special Use from Article 16 – to allow an accessory family dwelling unit on real estate located at 222 Mitchell’s Lane, TAP 123, LOT 703.**

**On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said notice of public hearing.**

**6. Notice of Public Hearing from the Middletown Zoning Board of Review, re: Petition of David B. Bedard (owner), for a Variance from Section 603, 701 & 803G – to construct a 14’ x 14’ rear deck and roof with a rear yard setback of 28’ where 30’ is required on real estate located at 68 Seascape Avenue, TAP 115SE, LOT 41.**

**On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said notice of public hearing.**

**7. Application for Special Event Permit from Eident Sports Marketing, LLC, Road Race 26.2 miles beginning and ending at Easton's Beach, through Middletown Town Roads, to be held on Sunday, October 12, 2014 beginning at 5:00 am to 11:00 am.**

**On motion of Vice President Sylvia, duly seconded, it was voted unanimously to grant said Special Event permit.**

**8. Application for Special Event Permit from Cape Codders Chapter of Family Motor Coach Association for the Memorial Day weekend Motor Home (RV) Rally - Memorial Day Weekend – Annual Second Beach Rally to be held at Sachuest Beach arriving on Thursday, May 21, 2015 and Friday, May 22, 2015 with all coaches departing Monday, May 25, 2015.**

**On motion of Vice President Sylvia, duly seconded, it was voted unanimously to grant said Special Event permit.**

**9. Application of NAPA Auto Parts, NAPA Car Show to be held at 15 Valley Road on Saturday, June 28, 2014 from 9:00 am to 3:00 pm.**

**On motion of Vice President Sylvia, duly seconded, it was voted**

**unanimously to grant said Special Event permit.**

**10. Application of Thomas Hagerty, Hagerty 4th of July Family Reunion, Peabody's Beach, Family Reunion and Fireworks Display (at sunset) on the Beach to be held on Friday, July 4, 2014 6:00 pm to 12:00 am.**

**On motion of Vice President Sylvia, duly seconded, it was voted unanimously to grant said Special Event permit.**

**11. Applications five (5) for Special Events Permits from the following named persons for events to be held at Sweet Berry Farm, 915 Mitchell's Lane: 1) Granige/Incze Wedding on Saturday, July 5, 2014 2) Gordski Graduation Party on Sunday, July 6, 2014 3) Theodore/Panayotti Wedding on Saturday, July 27, 2014 4) Heaney/Fullerton Wedding on Saturday, August 2, 2014 and 5) Callahan/Mueller Wedding on Saturday, August 23, 2014.**

**On motion of Vice President Sylvia, duly seconded, it was voted unanimously to grant said Special Event permits.**

**12. Application of NNGC Corp. dba Newport National Golf Club, 324 Mitchell's Lane, for RENEWAL of a Holiday Sales License for the 2014-2105 licensing year.**

**On motion of Vice President Sylvia, duly seconded, it was voted**

**unanimously to grant said license renewal.**

**13. Application of HPK, Inc. dba Tickets, 15 Aquidneck Avenue, for RENEWAL of a Mechanical Amusement Device License for the 2014-2015 licensing year. (5 games)**

**On motion of Vice President Sylvia, duly seconded, it was voted unanimously to grant said license renewal.**

**14. Application of Kempenaar Real Estate dba Howard Johnson Motor Lodge, 351 West Main Road, for RENEWAL of a Mechanical Amusement License for the 2014-2015 licensing year. (5 Games)**

**On motion of Vice President Sylvia, duly seconded, it was voted unanimously to grant said license renewal.**

**15. Petition of National Grid and Verizon for proposed replace/relocate pole 12 Renfrew Avenue, 25ft north of existing pole, on side of road. (Includes approval by Chair and Vice Chair of Roads/Utilities Committee/Public Works Director)**

**On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said approve said petition.**

**OTHER COMMUNICATIONS**

**16. Communication of Robert P. Quinn, President RI FOP, re: Request for support by donating items for the Scholarship Golf Tournament Raffle or sponsoring a Tee.**

**On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said communication and authorize a \$100. donation for sponsorship of a Tee, said donation to be appropriated from the Council President's Discretionary Fund.**

**17. Application of East Bay Community Action Program, Molar Express, Dental Services for Children to be held at Linden Park on July 21, 22, 24, 25, 28, 29, 2014 from 7:30 am to 5:00 pm. (Attached is a request to waive permit fee)**

**On motion of Vice President Sylvia, duly seconded, it was voted unanimously to grant said Special Event permit and waive said fee.**

## **TOWN COUNCIL**

**18.**

**Memorandum of Vice President Sylvia, Councillor Rodrigues and Councillor Santos, re: Recognition of Middletown Schools for Academic Achievements and Discussion of High School Unification with Newport.**

**On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said memorandum.**

**Councillor Rodrigues noted the on the front page of the Newport Daily News Middletown High School was named a “Commended” School in the State Department of Education’s 2014 school classification. Mr. Rodrigues explained that he does not see the need for High School Unification, Middletown is heading in the right direction.**

**Councillor Santos noted agreement with Councillor Rodrigues regarding High School Unification. Ms. Santos also noted that she attended the Middletown High School Scholarship awards night, explaining that Mr. Joseph Rutledge received the following:**

**Vice President Sylvia noted the Middletown School Department does an outstanding job educating our students. Mr. Sylvia explained in light of the recent school data, he hopes his colleagues would reconsider not to unify the High Schools.**

**Carol Cummings, 738 Indian Avenue, thanked the Middletown School Department and the three Councillors who realize that Middletown should not regionalize schools.**

**Councillor VonVillas congratulated the Middletown High School for the recent ranking along with congratulating fourteen other High**

**Schools, including four regional schools. Ms. VonVillas noted that ranking creates competition and is not fair in academics.**

**Councillor Long noted that he graduated from Middletown High School and loves the school system. Mr. Long explained that the non-binding question regarding High School Unification is a barometer for the public; the public has the right to give their opinion and noted he is not in favor of unification.**

**Councillor Adams noted that the non-binding question regarding High School Unification would allow people to express their opinion. Mr. Adams mentioned that the League of Women Voters will be having a meeting regarding High School Unification on June 23, 2014.**

**Council President Semonelli congratulated the Middletown School Department for the recognition of their Academic Achievements. Mr. Semonelli noted that the non-binding question regarding High School Unification will allow voters to set a direction for the Council and School Committee.**

**Discussion centered around the Middletown Schools being an economic driver for the area, people wanting information regarding unifying the high schools, information should be provided prior to a question for the residents to vote on, Newport Daily News survey regarding the Unified High School, Newport has its own Special Education Department and School officials and teachers not being**

**included in Unification discussions.**

**On motion of Vice President Sylvia, duly seconded, it was voted to recind the last vote to place the non-binding question “Should Newport and Middletown join to establish a unified high school?” and not place the referendum item on the November 2014 General Election ballot; Vice President Sylvia, Councillor Rodrigues and Councillors Santos voted YES to said motion; Council President Semonelli, Councillor Adams, Councillor Long and Councillor VonVillas voted NO to said motion; MOTION FAILED TO PASS.**

#### **TOWN ADMINISTRATOR**

**19. Memorandum of Finance Director, thru Town Administrator, re: Proposed Amendment to RIGL 45-21-8 Retirement of Municipal Employees.**

**Finance Director Lynne Dible reviewed the memorandum, entered here:**

**On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said memorandum.**

**20. Resolution of the Council, re: Approving proposed Amendment to RIGL 45-21-8 Retirement of Municipal Employees and forward**

**proposed Amendment to the General Assembly for their approval.**

**On motion of Vice President Sylvia, duly seconded, it was voted unanimously to pass said resolution.**

**On motion of Vice President Sylvia, duly seconded, it was voted unanimously to adjourn said meeting at 8:07 pm.**

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**Wendy J.W. Marshall, CMC**

**Council Clerk**

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